

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ONEIDA INDIAN NATION,

Plaintiff,

-against-

HOWARD A. ZUCKER, COMMISSIONER OF NEW
YORK STATE DEPARTMENT OF HEALTH, and the
NEW YORK STATE DEPARTMENT OF HEALTH

Defendants.

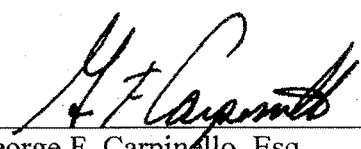
**STIPULATION AND
ORDER OF
DISCONTINUANCE
PURSUANT TO RULE
41(A)**

6:21-cv-466

(FJS)(ATB)

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, plaintiff Oneida Indian Nation, by its attorney George F. Carpinello, Esq., and Letitia James, Attorney General of the State of New York, Ryan W. Hickey, Assistant Attorney General, of counsel, appearing for defendant Howard A. Zucker¹ and the New York State Department of Health, parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, plaintiff hereby discontinues this action without prejudice, and without damages, costs, interest or attorneys' fees.

Dated: Albany, New York
July 21, 2023



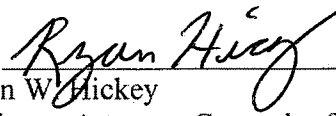
George F. Carpinello, Esq.
Boies, Schiller & Flexner LLP
Attorney for Plaintiff
30 South Pearl Street, 11th Floor

¹ Dr. James V. McDonald is the current Commissioner of DOH and, as the successor to Howard Zucker, Dr. McDonald is automatically substituted as a party for those claims that were asserted against Mr. Zucker in his official capacity as DOH's commissioner pursuant to Fed. R. Civ. P. 25(d).

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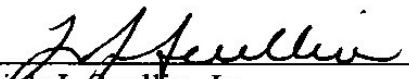
Dated: Albany, New York
July 21, 2023

LETITIA JAMES
Attorney General
State of New York
Attorney for Defendants
The Capitol
Albany, New York 12224-0341

By: 
Ryan W. Hickey
Assistant Attorney General, of Counsel
Bar Roll No. 519020
Telephone: (518) 776-2616
Email: Ryan.Hickey@ag.ny.gov

Dated: Syracuse, New York
July 25, 2023

SO ORDERED:


Frederick J. Scullin, Jr.
Senior United States District Judge